

| TRANSMITTAL LETTER | | | Case No. 10922-58 |
|--|-----------------------------------|----------|-------------------|
| Serial No. 10/662,981 | Filing Date September 15, 2003 | Examiner | Group Art Unit |
| Inventor(s) Allan Joseph Hilling Smith et al. | | | |
| Title of Invention IMPROVED PERFUSION INCUBATOR | | | |

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Ltr. (1p) in dupl., Information Disclosure Statement and PTO Form 1449 (4p); in dupl.; Copies of Cited Refs. x3; Return PostCard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra |
|---|---|-------|---------------------------------------|------------------|
| Total | | Minus | | |
| Indep. | | Minus | | |
| First Presentation of Multiple Dep. Claim | | | | |

| Small Entity | |
|--------------------|--------------|
| Rate | Add'l Fee |
| x \$9 = | |
| x 43 = | |
| + \$145 = | |
| Total add'l fee | \$ |

or

| Other Than Small Entity | |
|----------------------------|--------------|
| Rate | Add'l Fee |
| x \$18 = | |
| x \$86 = | |
| + \$290 = | |
| Total add'l fee | \$ |

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


Jonathan M. Blanchard, Ph.D.

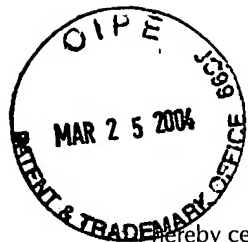
Registration No. 48,927

Attorney for Applicant

Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE
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CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 23, 2004.



CERTIFICATE OF MAILING

Hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 23, 2004

Date of Deposit

Jonathan M. Blanchard, Ph.D.

Name of Applicant, Assignee or
Registered Representative

Signature

3/23/04

Date of Signature

Our Case No.: 10922-58

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph Hilling Smith, et al.

Serial No.: 10/662,981

Filing Date: September 15, 2003

For: IMPROVED PERFUSION
INCUBATOR

Examiner:

Group Art Unit No.:

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this First Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and

made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g),(h), this First Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This First Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this First Supplemental Information Disclosure Statement however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

This application is a continuation-in-part application of U.S. Serial No. 09/819,407, filed March 28, 2001 and is relied upon for an earlier filing dated under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) only copies of documents not previously cited and submitted to the Patent and Trademark Office in the prior application Serial No. 10/662,981 are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(e)(1), Applicant(s) hereby certify that each item of the information disclosed in this First Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to filing of the present statement, as evidenced by the date of the enclosed search report.

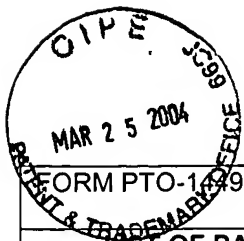
Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Blanchard", is written over a horizontal line.

Jonathan M. Blanchard, Ph.D.
Registration No. 48,927
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
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|---|---|----------------------|
| FORM PTO-1449 | SERIAL NO. 10/662,981 | CASE NO. 10922-58 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | FILING DATE September 15, 2003 | GROUP ART UNIT |
| (use several sheets if necessary) | APPLICANT(S): Allan Joseph Hilling Smith et al. | |

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|---------------------|----|--|----------|-------------|--------------------|----------------|
| | B1 | 4,650,766 | 3/17/87 | Harm et al. | 435/284 | 10/84 |
| | B2 | 5,028,541 | 07/02/91 | Kiel et al. | 435/286 | 6/87 |
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FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES OR NO |
|---------------------|--|--|------|---------|--------------------|--------------------------|
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| EXAMINER INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small> | |
|---------------------|---|---|
| | B3 | Copy of International Search Report from PCT/US03/28930 (mailed March 1, 2004), 3p. |
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|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.